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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,473	06/23/2005	Kyoko Kawaguchi	L8638.05105	2978
52989 7590 09/18/2008 DICKINSON WRIGHT PLLC 1901 L STREET NW SUITE 800 WASHINGTON, DC 20036			EXAMINER BOUKNIGHT, STEVEN M	
			ART UNIT 4121	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/540,473

**Applicant(s)**

KAWAGUCHI ET AL.

**Examiner**

STEVEN BOUKNIGHT

**Art Unit**

4121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 June 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.  
7) ☒ Claim(s) 11 and 12 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 23 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date 06/23/2005  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Inventor's Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claim(s) 1-10 and 15-20 are provisionally rejected on the ground of nonstatutory double patenting over claims 1 and 10 of copending Application No. 10/726644.

Art Unit: 4121

Although the conflicting claims are not identical, they are not patentably distinct from each other because of the following reasons noted below.

Instant Application 10/540473	Copending Application 10/726644
<p>Claim 1: An information processing apparatus comprising: a first device; and a second device connected to the first device in an attachable/detachable or fixed manner, the first device comprising: a first communication section that communicates with a fifth communication section of an external communication device; a second communication section that communicates with the second device; and a first control section for controlling processing in the first communication section, the second communication section, and the first device, the second device comprising: third communication section that communicates with the second communication section; fourth communication section that communicates with a sixth communication section of the communication device or a communication device which is different from the communication device; and a second control section for controlling processing in the third communication section, the fourth communication section, and the second device.</p> <p><b><i>"An information processing apparatus" in claim 1 is the same as "data processing apparatus" in claim 1 of copending app.</i></b></p> <p><b><i>"a first device; and a second device connected to the first device in an attachable/detachable or fixed manner" is identical to language cited in claim 1 of copending application "a first device; and a second device detachably or fixedly connected to said first device"</i></b></p> <p><b><i>"the first device comprising: a first communication section that communicates with a fifth communication section of an external communication device". As cited in claim 10 of copending application, it is the same as "wherein said first device includes: first communication means for communicating with an external device".</i></b></p> <p><b><i>"a second communication section that communicates with the second device". As cited in claim 1 of copending application, is the same "wherein said first device includes second</i></b></p>	<p>Claim 1: A data processing apparatus comprising: a first device; and a second device detachably or fixedly connected to said first device, wherein said first device includes second communication means for communicating with said second device, first storage means for storing a first application, first control means for executing said first application, and for controlling said second communication means and said first storage means, and wherein said second device includes third communication means for communicating with said first device, fourth communication means for communicating with an external device, second storage means for storing a second application, and second control means for controlling said second application, and for controlling said third communication means, said fourth communication means and said second storage means.</p> <p>Claim 10: The data processing apparatus according to claim 8, wherein said first device includes: first communication means for communicating with an external device; output means for outputting information; and input means for accepting the information that is entered, wherein said first application employs said first communication means to communicate with a predetermined server across a network, and in accordance with an instruction received by said input means, said second process request is processed.</p>

<p><b><i>communication means for communicating with said second device".</i></b></p> <p><b><i>"a first control section for controlling processing in the first communication section, the second communication section, and the first device,". As cited in claim 1 of copending application, is identical to "first control means for executing said first application, and for controlling said second communication" and in claim 10 "wherein said first application employs said first communication means" because both control operation within the first device.</i></b></p> <p><b><i>"the second device comprising: third communication section that communicates with the second communication section". As cited in claim 1 of copending application is identical to "wherein said second device includes third communication means for communicating with said first device".</i></b></p> <p><b><i>"fourth communication section that communicates with a sixth communication section of the communication device or a communication device which is different from the communication device". As cited in copending application is identical to "fourth communication means for communicating with an external device".</i></b></p> <p><b><i>"a second control section for controlling processing in the third communication section, the fourth communication section, and the second device" is identical to "second control means for controlling said second application, and for controlling said third communication means, said fourth communication means" in claim 1 of copending application because both control operation within the second device.</i></b></p>	
<p>Claim 6: An information processing apparatus comprising: a first device; and a second device connected to the first device in an attachable/detachable or fixed manner, the first device comprising: a communication section which communicates with an external communication terminal; first communication section that detects the communication of the communication section; second communication section that communicates with the second device; and a first control section which performs the communication section, the first</p>	<p>Claim 1: A data processing apparatus comprising: a first device; and a second device detachably or fixedly connected to said first device, wherein said first device includes second communication means for communicating with said second device, first storage means for storing a first application, first control means for executing said first application, and for controlling said second communication means and said first storage means, and wherein said second device includes third communication means for communicating</p>

communication section, the second communication section, and control of a process in the first device, the second device comprising: third communication section that communicates with the second communication section; fourth communication section that communicates with the communication terminal via the communication section; and a second control section which controls the operation of the third communication section, the fourth section, and controls a process in the second device.

***As previously stated:***

***"An information processing apparatus" in claim 1 is the same as "data processing apparatus" in claim 1 of copending app.***

***"a first device; and a second device connected to the first device in an attachable/detachable or fixed manner" is identical to language cited in claim 1 of copending application "a first device; and a second device detachably or fixedly connected to said first device"***

***"the first device comprising: a communication section which communicates with an external communication terminal; a first communication section that detects communication of the communication section". As cited in claim 10 of copending application, is identical to "wherein said first device includes: first communication means for communicating with an external device".***

***"a second communication section that communicates with the second device". As cited in claim 1 of copending application, is the same "wherein said first device includes second communication means for communicating with said second device".***

***"a first control section which performs the communication section, the first communication section, the second communication section, and control of process in the first device,". As cited in claim 1 of copending application, is identical to "first control means for executing said first application, and for controlling said second communication" and in claim 10 "wherein said first application employs said first communication means" because both control operation within the first device.***

with said first device, fourth communication means for communicating with an external device, second storage means for storing a second application, and second control means for controlling said second application, and for controlling said third communication means, said fourth communication means and said second storage means.

Claim 10: The data processing apparatus according to claim 8, wherein said first device includes: first communication means for communicating with an external device; output means for outputting information; and input means for accepting the information that is entered, wherein said first application employs said first communication means to communicate with a predetermined server across a network, and in accordance with an instruction received by said input means, said second process request is processed

<p><i>"the second device comprising: a third communication section that communicates with the second communication section". As cited in claim 1 of copending application is identical to "wherein said second device includes third communication means for communicating with said first device".</i></p> <p><i>"a fourth communication section that communicates with the communication terminal via the communication section". As cited in copending application is identical to "fourth communication means for communicating with an external device".</i></p> <p><i>"a second control section which controls the operation of the third communication section, the fourth communication section, and controls a process in the second device" is identical to "second control means for controlling said second application, and for controlling said third communication means, said fourth communication means" in claim 1 of copending application because both control operation within the second device.</i></p>	
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. This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

#### ***Claim Construction***

Claim 14 is not construed under 112, 6<sup>th</sup> paragraph. Although the claim uses the word "means", it does not recite the "for" modifier.

#### ***Claim Objections***

Claim(s) 11 and 12 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 11 recites "the first device..." and claim 12 recites "the second device", however, the previously recited claims 1-10 claim an information processing apparatus including both the first and second devices. Claims 11 and 12 recite no further limitation of what the devices include and are thus objected to.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim(S) 2-4, 7-9, and 13-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim(s) 2-4, 7-9, and 13-20 are rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph because they are directed to a "device" (information processing apparatus, a first device, a second device and a communication device) and a method of using said device (receiving a third process command, sends the third process command, sends a second process request, and sends the process response). Recitation of both a device and method of using that device in the same claim renders these claims indefinite under 35 U.S.C. 112. See *In re IPXL Holdings LLC v. Amazon.com Inc.*, 430 F3d 1377, 77 USPQ2d 1140 (CAFC 2005), and MPEP 2173.05 (p) (II).

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim(s) 2-4, 7-9, and 13-20 are rejected under 35 U.S.C. 101 because they are directed to non-statutory subject matter.

Claim(s) 2-4, 7-9, and 13-20 are nonstatutory because they are directed to a "device" and a method of using said device. Claims 2-4, 7-9, and 13-20 include apparatuses (a first device, a second device and a communication device) and steps for sending and receiving request and commands between these devices. As such, these claims embrace or overlap two different statutory classes of invention as set forth in §101 which is drafted so as to set forth the statutory classes in the alternative only. See *Ex parte Lyell*, 17 USPQ2d 1548 (Bd. Pat. App. & Inter. 1990) and MPEP 2173.05(p) II.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim(s) 1, 5, 6 and 10, 11/5/1, 11/1, 11/10/6, 11/6, 12/5/1 12/10/6, 12/6, 12/1, 13/5/1, 13/1, 13/10/6, 13/6 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Mitsumoto (US 20020177407).

With regard to claim 1, the Mitsumoto reference teaches an information processing apparatus comprising: a first device (see figure 1 and 2 for portable telephone set 10); and a second device connected to the first device in an attachable/detachable or fixed manner (see figure 1 and 3 for IC card 30), the first device comprising: a first communication section that communicates with a fifth communication section of an external communication device (see figure 2 and 7 for radio I/F section 19 and paragraph 0032 wherein the antenna 12 communicates with the network 40 of the service point server 50; a second communication section that communicates with the second device (see figure 2 for contact 22 and bottom of paragraph 0033 wherein the contact 22 communicates with contact 33 of the IC card); and a first control section for controlling processing in the first communication section,

the second communication section, and the first device (see figure 2 and paragraph 0030 for CPU 13 which controls each part), the second device comprising: a third communication section that communicates with the second communication section (see figure 3 for contact 33 and paragraph 0036 wherein contact 33 communicates with contact 22 of the portable telephone set); a fourth communication section that communicates with a sixth communication section of the communication device or a communication device which is different from the communication device (see figure 3 for non-contact type I/F section 32 and paragraph 0036 wherein the non-contact type I/F section 32 communicates with an external system); and a second control section for controlling processing in the third communication section, the fourth communication section, and the second device (see figure 3 and paragraph 0037 for CPU 34 which controls each part).

With regard to claim 5, the Mitsumoto reference teaches the information processing apparatus according to claim 1, wherein the first communication section performs communication in a communication system which does not have any directivity (see Mitsumoto figures 2 and 7 for radio link R1) the fourth communication section performs communication in a communication system having the directivity or by a point-blank range (see Mitsumoto figures 3 and 6 and paragraph 0061 for radio link R2).

With regard to claim 6, the Mitsumoto reference teaches all of the limitations as explained in claim 1, and the first device comprising: a communication section which communicates with an external communication terminal (see figure 7 for antenna 12).

With regard to claim 10, the Mitsumoto reference teaches all of the limitations of the information processing apparatus as explained in 6, and wherein the fourth communication section performs communication in a communication system having directivity or by a point-blank range as explained in claim 5.

With regard to claims 11 and 12, the Mitsumoto reference teaches all of the limitations of the first device and the second device according to any one of claims 11/5/1, 11/1, 11/10/6, 11/6, 12/5/1 12/10/6, 12/6 and 12/1 as explained in the corresponding claim rejections above .

With regard to claim 13, the Mitsumoto reference teaches a communication device which communicates with the information processing apparatus according to any one of claims 13/5/1, 13/1, 13/10/6, and 13/6 as explained in the corresponding claim rejections above, the communication device comprising: fifth communication section that communicates with the first communication means of the information processing apparatus (see Mitsumoto figures 1 and 7 and paragraph 0032 for service point server 130 which communicates with radio I/F section 19 via antenna 12); and sixth communication section that communicates with the fourth communication section of the information processing apparatus (see Mitsumoto figures 3 and 6 and paragraph 0036 for radio I/F section 92 which communicates with non-contact type I/F section 32 through card antenna 31), wherein the sixth communication section sends, to the fourth communication means section, a first process request with respect to a second device of the information processing apparatus (see Mitsumoto figure 6 and paragraph 0061 wherein the I/F section 92 communicates the purchase amount of goods with non-

contact type I/F section 32 through card antenna 31), the fifth communication section sends, to the first communication section, a process command with respect to a first device of the information processing apparatus before sending the first process request (see Mitsumoto figure 7 and paragraph 0061 wherein the service point server 130 presents the goods along with service points with radio I/F section 19 via antenna 12), and the process command is a process command to perform a process in cooperation with the processing of the first process request (see paragraph 0059 wherein the service point data is presented in accordance with the purchase amounts).

With regard to claim 14, the Mitsumoto reference teaches all of the limitations of a communication device as explained in claim 13.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim(s) 2-4, 7-9, 11/2/1, 11/3/1, 11/4/1, 11/7/6, 11/8/6, 11/9/6, 12/2/1, 12/3/1, 12/4/1, 12/7/6, 12/8/6, 12/9/6, 13/2/1, 13/3/1, 13/4/1, 13/7/6, 13/8/6, 13/9/6, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsumoto (US 20020177407) as applied to claims 1, 5, 6 and 10-14 above, and further in view of Jonstromer (US 6,142,369).

With regard to claim 2, the Mitsumoto reference does not explicitly teach the information processing apparatus according to claim 1, wherein responsive to receiving a third process command from the first communication section, the first control section sends the third process command or a command corresponding to the process command to the third communication section via the second communication section, the second control section once holds a response to the command received via the third communication section, processes a first process request received via the fourth communication section, and sends a second process request which is the held response to the second communication section via the third communication section in a case where a new process is required in processing the first process request, and the first control section processes the second process request received via the second communication section, and sends the process response to the third communication section via the second communication section.

However, the Mitsumoto reference in combination with the Jonstromer reference does teach the limitations. According to Mitsumoto, goods to be purchased at a store may be transmitted to the portable telephone through antenna 12 and transferred to the IC card via the CPU 13 and contacts 22 and 33 (see figure 7 and paragraphs 0030, 0034 and 0060). Mitsumoto also teaches that data corresponding to goods to be purchased can be transmitted via card antenna 31 to the IC card, which includes a memory store 35a for storing electronic money data and a CPU 34 that processes commerce data relating to the goods (see figure 6 and paragraphs 0061-0063). Jonstromer teaches that when entering into a transaction, access to the IC or smart

card which acts as an electronic wallet is controlled by entering in a personal identification number (PIN) using the mobile phone and the data from the PIN is communicated to the card. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Mitsumoto and Jonstromer to have a portable telephone receive a command via radio I/F section 19 presenting goods to the user and transfer them through the CPU 13 and to the IC card via contacts 22 and 33, and then have the IC card receive the purchase amount relating to the goods via non-contact type I/F section 32, and upon entering into a transaction to purchase the goods using CPU 34, issue a command to the portable phone via contacts 33 and 22 to enter a PIN which can be processed by the CPU 13 and then communicated back to the CPU 34 through contacts 22 and 33. Implementing a command for entry of a PIN allows a user purchasing the goods to be authenticated to the system and to prevent unauthorized access to the IC card which holds electronic money data for transactions.

With regard to claim 3, the Mitsumoto and Jonstromer reference teaches the information processing apparatus according to claim 1, wherein the first device comprises an output section that outputs information, responsive to receiving a third process command from the first communication section, the first control section sends the third process command or a command corresponding to the process command to the third communication means section via the second communication section, the second control section once holds a response to a command received via the third communication section, processes the first process request received via the fourth

communication section, and sends information produced as a result of the processing of the first process request as the held response to the second communication section via the third communication section, and the first control section sends the information received via the second communication section to the output section (see claim 2 rejection above; also see figure 2 of Mitsumoto wherein the portable telephone has a display for displaying the command to enter a PIN and keys to enter the PIN).

With regard to claim 4, the Mitsumoto and Jonstromer reference teaches the information processing apparatus according to claim 1, wherein the first device comprises an output section that outputs information, responsive to receiving a third process command from the first communication section, the first control section sends the third process command or a command corresponding to the process command to the third communication section via the second communication section, the second control section once holds a response to the command received via the third communication section, processes a first process request received via the fourth communication section, and sends additional information added to the first process request as the held response to the second communication section via the third communication section, when in response to the processing of the first process request being completed, and the first control section sends the additional information received via the second communication means section to the output section (see claims 2 and 3 rejections above; also see Jonstromer column 6 lines 22-28 wherein a menu driven series of options and questions are generated by the smart card to be displayed).

With regard to claim 7, the Mitsumoto does not explicitly teach the information processing apparatus according to claim 6, wherein in the first device, in response to the communication section receiving a first process request from the communication terminal, the first communication section detects the reception, and the first control section sends a third process command to the third communication section via the second communication means section, in the second device, the second control section once holds a response to the third process command received via the third communication section, the fourth communication section receives the first process request via the communication section, and the second control section processes the first process request received via the fourth communication section, and sends a second process request which is the held response to the second communication section via the third communication section in a case where a new process is required in processing the first process request, and thereby the first control section processes the second process request received via the second communication section, and sends the process response to the third communication means section via the second communication means section.

However, the Mitsumoto reference in combination with the Jonstromer reference does teach the limitations. According to Mitsumoto, goods to be purchased at a store along with service point data may be transmitted to the portable telephone through antenna 12 and transferred to the IC card via the CPU 13 and contacts 22 and 33 (see figure 7 and paragraphs 0030, 0034 and 0060). Mitsumoto also teaches that data corresponding to the purchase amount of the goods can be transmitted via card

antenna 31 to the IC card, which includes a memory store 35a for storing electronic money data and a CPU 34 that processes commerce data relating to the goods (see figure 6 and paragraphs 0061-0063). Jonstromer teaches that when entering into a transaction, access to the IC or smart card which acts as an electronic wallet is controlled by entering in a personal identification number (PIN) using the mobile phone and the data from the PIN is communicated to the card. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Mitsumoto and Jonstromer where in response to the portable telephone set receiving the purchase amount of the goods, detect and receive a command via antenna 12 and radio I/F section 19 presenting goods to the user along with service points and transfer them through the CPU 13 and to the IC card via contacts 22 and 33, and upon entering into a transaction to purchase the goods using CPU 34, issue a command to the portable phone via contacts 33 and 22 to enter a PIN which can be processed by the CPU 13 and then communicated back to the CPU 34 through contacts 22 and 33. Implementing a command for entry of a PIN allows a user purchasing the goods to be authenticated to the system and to prevent unauthorized access to the IC card which holds electronic money data for transactions.

With regard to claim 8, the Mitsumoto and Jonstromer references teach all of the limitations with respect to the information processing apparatus as explained in claims 6 and 7, and also teach wherein the first control section sends the information received via the second communication section to the output section as explained in claim 3.

With regard to claim 9, the Mitsumoto and Jonstromer references teach all of the limitations with respect to the information processing apparatus as explained in claims 6 and 7, and wherein the first control section sends the additional information received via the second communication section to the output section as explained in claim 4.

With regard to claims 11/2/1, 11/3/1, 11/4/1, 11/7/6, 11/8/6, 11/9/6, 12/2/1, 12/3/1, 12/4/1, 12/7/6, 12/8/6, 12/9/6, 13/2/1, 13/3/1, 13/4/1, 13/7/6, 13/8/6 and 13/9/6, the Mitsumoto and Jonstromer references teach all of the limitations of the first device, second device, and the communication device, respectively, as explained in the corresponding claim rejections above.

With regard to claim 15, the Mitsumoto and Jonstromer references teach all of the limitations of the information processing apparatus as explained in claim 2.

With regard to claim 16, the Mitsumoto and Jonstromer references teach all of the limitations of the information processing apparatus as explained in claim 3.

With regard to claim 17, the Mitsumoto and Jonstromer references teach all of the limitations of the information processing apparatus as explained in claim 4.

With regard to claim 18, the Mitsumoto and Jonstromer references teach all of the limitations of the information processing apparatus as explained in claim 7.

With regard to claim 19, the Mitsumoto and Jonstromer references teach all of the limitations of the information processing apparatus as explained in claim 8.

With regard to claim 20, the Mitsumoto and Jonstromer references teach all of the limitations of the information processing apparatus as explained in claim 9.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kusakabe et al. (US 7,197,767), Inagaki et al. (US 20050025117), Kikuchi et al. (US 20040153559), Mitsumoto (US20020177407), and Kikuchi (US 20040152489) all teach a mobile device with a non-contact IC card for processing request.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN BOUKNIGHT whose telephone number is (571)270-5701. The examiner can normally be reached on Monday-Thursday and alternative Fridays from 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Robertson can be reached on (571)272-4186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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